

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Fairbanks et al,

Case No. 23-cv-2490 (JMB/TNL)

Plaintiffs,

v.

ORDER STAYING CASE

DP Fabrication, LLC,

Defendant

This matter comes before the Court on the parties' Joint Motion to Stay Pretrial Scheduling Conference and Other Case Deadlines, ECF No. 31. The parties request an order staying the Pretrial Scheduling Conference scheduled for February 6, 2024, as well as any related pretrial filing deadlines and any other deadlines for 60 days. *Id.* at 1.

In support of the parties' request, the parties state that in this action Plaintiffs Matthew Fairbanks et al are seeking from Defendant DP Fabrication, LLC, payment of certain fringe benefit contributions and other damages under a collective bargaining agreement, the validity and enforceability of which Defendant disputes. *Id.* The parties have been engaging in settlement discussions, including the potential release of all claims against Defendant. *Id.* at 2. In order to analyze the full scope of the release, Plaintiffs explain that they need time to audit Defendant's employment records for the 2023 calendar year. *Id.* Thus, the parties believe a stay of this case for 60 days will give Plaintiff's enough time to conduct an audit of Defendant's records for the purpose of settling this matter. *Id.*

WHEREAS, the Court finds that the foregoing constitutes good cause stay this proceeding, **IT IS HEREBY ORDERED** that:

1. The parties' Joint Motion to Stay Pretrial Scheduling Conference and Other Case Deadlines, ECF No. 31, is **GRANTED IN PART** and **DENIED IN PART**.
2. The Pretrial Scheduling Conference scheduled for February 6, 2024 at 11:00 a.m. before Magistrate Judge Tony N. Leung is cancelled.
3. This matter and the deadlines set forth in the Notice Of and Order For Pretrial Scheduling Conference, ECF No. 29, are stayed until April 1, 2024, and will be reset upon completion of the stay, if necessary.
4. The parties shall submit to the Court a status letter no later than 15 days after completion of the stay.
5. If, at any point during the stay, any party believes the stay is no longer in its interest, the party may request that the Court lift the stay.

Dated: January 17, 2024

s/ Tony N. Leung

Tony N. Leung
United States Magistrate Judge
District of Minnesota

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